

Gov

JCWSCS 26 JAN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Warchol, et al.

ATTY DOCKET NO.: 00479/2/US
(PC26941US)

SERIAL NO.: 10/659,813

GROUP ART UNIT: Unknown

FILED: September 11, 2003

EXAMINER: Unknown

For: METHOD FOR OPHTHALMIC
ADMINISTRATION OF MEDICAMENT**PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181(a)****Via Facsimile (703) 308-7751**Attention: OIPE Customer Service
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice of Abandonment of United States Patent Application Serial Number 10/659,813, mailed November 5, 2004, entry of the following petition to withdraw the holding of abandonment under 37 CFR 1.181(a) is respectfully requested.

Accompanying this petition are the following documents:

1. Notice Of Abandonment Under 37 CFR 1.53 (f) or (g);
2. Notice To File Missing Parts Of NonProvisional Application;
3. Submission Of Declaration;
4. Declaration; and
5. Postcard for Submission Of Declaration.

We do not believe that a petition fee is due. However, if there is a fee associated with this petition, the Commissioner is hereby authorized to charge this fee and any additional fees required under 37 CFR 1.181(a) to Deposit Account No. 500329.

U.S. Patent Application Serial No. 10/659,813
Petition to Withdraw the Holding of Abandonment
under 37 CFR 1.181(a)

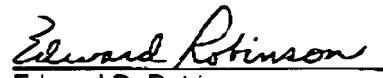
- 2 -

Applicant petitions to withdraw the holding of abandonment of United States Patent Application Serial Number 10/659,813 under 37 CFR 1.181(a) because the Notice To File Missing Parts Of NonProvisional Application, mailed December 16, 2003, was in error.

On October 22, 2003, Applicant submitted a Declaration in connection with the '813 application to the Commissioner for Patents at the USPTO. This Declaration was signed by inventors Mark P. Warchol and Praveen Tyle on October 1, 2003 and October 20, 2003, respectively, and identified the invention entitled: METHODS FOR OPHTHALMIC ADMINISTRATION OF MEDICAMENT, filed as United States Application Serial No. 10/659,813, on September 11, 2003. As evidenced by the returned stamped postcard, a copy of which is submitted herein, the USPTO was in receipt of this Declaration as of October 27, 2003. It is respectfully submitted that the December 16, 2003 Notice To File Missing Parts Of Nonprovisional Application, and thus the November 5, 2004 Notice Of Abandonment Under 37 CFR 1.53(f) or (g), were in error because the USPTO had acknowledged receipt of the required Declaration on October 27, 2003. Accordingly, Applicant petitions that the holding of abandonment of United States Patent Application Serial No. 10/659,813 be removed.

Respectfully Submitted,

Date: November 23, 2003
Pfizer Inc.
10777 Science Center Drive
San Diego, CA 92121
(858) 622-3119


Edward D. Robinson
Attorney for Applicants
Reg. No. 43,049



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/659,813	09/11/2003	Mark P. Warchol	00479/2/US

26648
PHARMACIA CORPORATION
GLOBAL PATENT DEPARTMENT
POST OFFICE BOX 1027
ST. LOUIS, MO 63006

CONFIRMATION NO. 5252
ABANDONMENT/TERMINATION
LETTER
OC000000014302823
OC000000014302823

Date Mailed: 11/05/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/16/2003.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

7-Moquiss
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

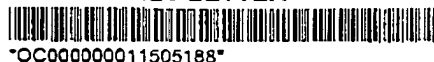
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/659,813	09/11/2003	Mark P. Warchol	00479/2/US

26648
PHARMACIA CORPORATION
GLOBAL PATENT DEPARTMENT
POST OFFICE BOX 1027
ST. LOUIS, MO 63006

CONFIRMATION NO. 5252

FORMALITIES LETTER



OC000000011505188

Date Mailed: 12/16/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

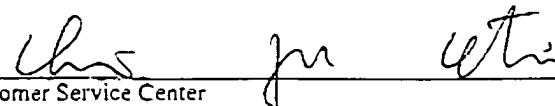
*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE